

### **AMENDMENTS TO THE CLAIMS**

Please cancel claims 8 and 9 without prejudice, add new claims 23 and 24, and amend the pending claims as follows:

1. (Currently Amended) A charged particle beam device for inspecting or structuring a specimen comprising:

a charged particle beam source to generate a charged particle beam;

a focussing lens to focus the charged particle beam onto the specimen; and

an aperture system for defining an aperture for the charged particle beam, the aperture system comprising:

a first member to block a first portion of the charged particle beam between the charged particle beam source and the focussing lens;

a second member to block a second portion of the charged particle beam between the charged particle beam source and the focussing lens;

first means ~~(24)~~ for moving the first member to adjust a size of a blocked first portion of the charged particle beam; ~~and~~

second means for moving the second member independently of the first member, wherein the first member and the second member have a respective first edge and a second edge capable of defining a respective first boundary and a second boundary of the aperture, the first edge is a first lateral edge and the second edge is a second lateral edge, and the first means and second means for moving the members are each capable of moving the respective member independently in two orthogonal directions;

a third, a fourth, a fifth, a sixth, a seventh or an eighth members to selectively block respective third, fourth, fifth, sixth, seventh or eighth portions of the charged particle beam between the charged particle beam source and the focussing lens;  
and

a third, a fourth, a fifth, a sixth, a seventh or an eighth means for moving the respective third, fourth, fifth, sixth, seventh or eighth members to adjust sizes of the

blocked respective third, fourth, fifth, sixth, seventh or eighth portions of the charged particle beam between the charged particle beam independently.

2. (Cancelled)
3. (Previously Presented) The charged particle beam device according to claim 1, wherein the first edge or the second edge is shaped to provide a first boundary or a second boundary which extend essentially linearly.
4. (Previously Presented) The charged particle beam device according to claim 1, wherein the first edge and the second edge are shaped to provide a first boundary and a second boundary which extend essentially in parallel.
5. (Previously Presented) The charged particle beam device according to claim 1, wherein the first edge or the second edge is shaped to provide an angled or rounded first or second boundary.
6. (Previously Presented) The charged particle beam device according to claim 1, wherein the first means or the second means for moving the respective first or the second member is capable of moving the respective first edge or second edge without changing the shape of the aperture.
7. (Previously Presented) The charged particle beam device according to claim 1, wherein the first means or the second means for moving the respective first or second member each include a respective first motor or a second motor.
8. (Cancelled)
9. (Cancelled)

10. (Currently Amended) The charged particle beam device according to claim [[8]] 1, wherein the third, fourth, fifth, sixth, seventh or eighth member have respective third, fourth, fifth, sixth, seventh or eighth edges, which are lateral edges, capable of defining respective third, fourth, fifth, sixth, seventh or eighth boundaries of the aperture.

11. (Previously Presented) The charged particle beam device according to claim 10, wherein the third, fourth, fifth, sixth, seventh or eighth edge is shaped to provide a respective third, fourth, fifth, sixth, seventh or eighth boundary which extends essentially linearly.

12. (Previously Presented) The charged particle beam device according to claim 10, wherein a third, a fourth, a fifth, a sixth, a seventh or an eighth means for moving the respective third, fourth, fifth, sixth, seventh or eighth member are each capable of moving the respective third, fourth, fifth, sixth, seventh or eighth edges without changing the shape of the aperture.

13. (Previously Presented) The charged particle beam device according to claim 10, wherein the third edge and the fourth edge, the fifth edge and the sixth edge or the seventh edge and the eighth edge pair-wise extend essentially in parallel with a tolerance of less than 10 degrees.

14. (Currently Amended) The charged particle beam device according to claim [[9]] 1, wherein the first, second, fourth, fifth, sixth, seventh or eighth means for moving the respective first, second, fourth, fifth, sixth, seventh or eighth members are capable of moving the respective member with steps having a step size smaller than 10  $\mu\text{m}$ .

15. (Currently Amended) The charged particle beam device according to claim [[9]] 1, wherein the first, second, third, fourth, fifth, sixth, seventh or eighth means for moving the respective first, second, third, fourth, fifth, sixth, seventh or eighth member include a respective first, second, third, fourth, fifth, sixth, seventh or eighth motor.

16. (Previously Presented) The charged particle beam device according to claim 1, wherein the charged particle beam device includes a scanning unit (17) to scan the charged particle beam across the specimen.

17. (Previously Presented) The charged particle beam device according to claim 1, wherein the charged particle beam device is an electron beam device or a focussing ion beam device.

18. (Previously Presented) The charged particle beam device according claim 1, wherein the charged particle beam device further comprising a magnetic octupole component or an electrostatic octupole component.

19. (Previously Presented) The charged particle beam device according claim 1, wherein the charged particle beam device further comprising a magnetic hexapole component or an electrostatic hexapole component to shape the charged particle beam.

20. (Currently Amended) The charged particle beam device according claim [[8]] 1 further having the first, second and third members oriented to define a triangular aperture for the charged particle beam.

21. (Currently Amended) Method for focussing a charged particle beam onto a specimen comprising:

providing a charged particle beam device wherein the charged particle beam comprises:

a charged particle beam source to generate a charged particle beam;  
a focussing lens to focus the charged particle beam onto a specimen;

and

an aperture system for defining an aperture for the charged particle beam;

the aperture system comprising:

a first member to block a first portion of the charged particle beam between the charged particle beam source and the focussing lens;

a second member to block a second portion of the charged particle beam between the charged particle beam source and the focussing lens, wherein the first member and the second member have a respective first edge and a second edge capable of defining a respective first boundary and a second boundary of the aperture, the first edge is a first lateral edge, and the second edge is a second lateral edge;

first means for moving the first member to adjust a size of the blocked first portion of the charged particle beam; and

second means for moving the second member independently of the first member, wherein the first means and second means are each capable of moving the respective member independently in two orthogonal directions;

a third, a fourth, a fifth, a sixth, a seventh or an eighth members to selectively block respective third, fourth, fifth, sixth, seventh or eighth portions of the charged particle beam between the charged particle beam source and the focussing lens; and

a third, a fourth, a fifth, a sixth, a seventh or an eighth means for moving the respective third, fourth, fifth, sixth, seventh or eighth members to adjust sizes of the blocked respective third, fourth, fifth, sixth, seventh or eighth portions of the charged particle beam between the charged particle beam independently;

generating the charged particle beam;

passing the charged particle beam through a rectangular shaped aperture;

passing the charged particle beam through a magnetic or electric octupole field; and

directing the charged particle beam onto the specimen.

22. (Currently Amended) Method for focussing a charged particle beam onto a specimen comprising:

providing a charged particle beam device, wherein the charged particle beam comprises:

a charged particle beam source to generate a charged particle beam;  
a focussing lens to focus the charged particle beam onto a specimen;

and

an aperture system for defining an aperture for the charged particle beam;

the aperture system comprising:

a first member to block a first portion of the charged particle beam between the charged particle beam source and the focussing lens;

a second member to block a second portion of the charged particle beam between the charged particle beam source and the focussing lens, wherein the first member and the second member have a respective first edge and a second edge capable of defining a respective first boundary and a second boundary of the aperture, the first edge is a first lateral edge, and the second edge is a second lateral edge;

first means for moving the first member to adjust a size of the blocked first portion of the charged particle beam; and

second means for moving the second member independently of the first member, wherein the first means and second means for moving members are each capable of moving the respective member independently in two orthogonal directions;

a third, a fourth, a fifth, a sixth, a seventh or an eighth members to selectively block respective third, fourth, fifth, sixth, seventh or

eightth portions of the charged particle beam between the charged particle beam source and the focussing lens; and

a third, a fourth, a fifth, a sixth, a seventh or an eighth means for moving the respective third, fourth, fifth, sixth, seventh or eighth members to adjust sizes of the blocked respective third, fourth, fifth, sixth, seventh or eighth portions of the charged particle beam between the charged particle beam independently;

generating the charged particle beam;

passing the charged particle beam through a triangular shaped aperture;

passing the charged particle beam through a magnetic or electric hexapole field;

and

directing the charged particle beam onto the specimen. .

23. (New) The charged particle beam device according claim 1, wherein each of the first, second, third, fourth, fifth, sixth, seventh or eighth means for moving the respective first, second, third, fourth, fifth, sixth, seventh or eighth member each include a respective first motor and a second motor for driving the respective members in a first direction and a second direction.

24. (New) The charged particle beam device according claim 1, wherein the first lateral edge and second lateral edge are outer circumferential edges of the aperture.